

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 3/9/2020

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M.S., on behalf of himself and his minor child :  
D.J., :

Plaintiff, :

-against- :

NEW YORK CITY DEPARTMENT OF :  
EDUCATION, :

Defendant. :

19 Civ. 11371 (LGS)

ORDER

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LORNA G. SCHOFIELD, District Judge:

WHEREAS, Plaintiff filed a Complaint on December 12, 2019. Defendant filed its Answer on March 6, 2020. It is hereby

**ORDERED** that by **March 16, 2020**, the parties shall return an executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form to the Clerk of Court,<sup>1</sup> if the parties agree to conduct all further proceedings before Judge Parker, in compliance with Rule 73.1 of the Local Civil Rules for the Southern and Eastern Districts of New York. It is further

**ORDERED** that by **March 30, 2020**, Plaintiff shall file a motion for summary judgment, not to exceed 25 pages. By **April 20, 2020**, Defendant shall file the opposition and any cross-motion for summary judgment, not to exceed 30 pages. By **May 11, 2020**, Plaintiff shall file a reply and opposition to Defendant's cross-motion for summary judgment if any, not to exceed 15 pages. By **May 25, 2020**, Defendant shall file a reply in support of the cross-motion for summary judgment if any, not to exceed 10 pages. Notwithstanding these aforementioned page limits,

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<sup>1</sup> The form is available at [https://nysd.uscourts.gov/sites/default/files/practice\\_documents/kpfSDNYFormConsentingToProceedForAllPurposesBeforeAMagistrateJudge.pdf](https://nysd.uscourts.gov/sites/default/files/practice_documents/kpfSDNYFormConsentingToProceedForAllPurposesBeforeAMagistrateJudge.pdf).

each party has discretion over how to allocate its respective 40 pages total of briefing total across its two briefs, provided neither party exceeds the 40 pages of briefing total. It is further

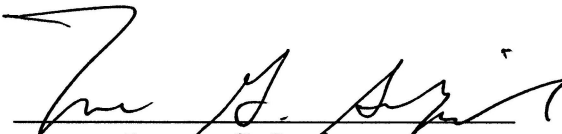
**ORDERED** that the parties shall Bates-stamp the administrative record (the “Record”) such that each page has a unique Bates number. It is further

**ORDERED** that, in lieu of separate Local Rule 56.1 statements, the parties shall file a joint statement of undisputed facts (“Joint Statement”), with citations to the Bates-stamped Record, **by the time that the first brief is due**. The parties shall indicate any disputed facts clearly in the Joint Statement. It is further

**ORDERED** that, within two days of the cross-motions being fully briefed, the parties shall email to Chambers a text-searchable copy of the Bates-stamped Record and a Word version of the Joint Statement. Defendants (as the last-to-file party) shall also submit the courtesy copies of all filings to Chambers. Except as provided here, the parties shall follow the Individual Rules on motions, exhibits and courtesy copies.

If the parties consent to Judge Parker’s jurisdiction, they shall seek further instructions from Judge Parker on delivering electronic copies of the record and the Joint Statement and physical courtesy copies to her Chambers.

Dated: March 9, 2020  
New York, New York

  
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**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**